

Docket Number: 42159

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Norman G. Anderson et al.

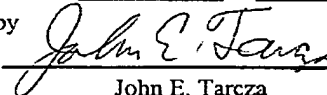
Serial No.: 09/941,626

Filed: August 30, 2001

For: METHOD FOR DISCOVERING
NEW INFECTIOUS PARTICLES

Examiner: Ardin H. MARCHEL

Group Art Unit: 1631

I hereby certify that this correspondence
is being facsimile transmitted to the USPTO
number 703-308-4242 on October 13, 2003
by
John E. Tarcza
Reg. No. 33,638

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RESPONSE TO REQUIREMENT FOR RESTRICTIONRECEIVED
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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 13, 2003

Dear Sir:

In response to the Restriction Requirement mailed September 11, 2003, applicants hereby elect group I, which includes claims 1-14, 16 and 59, with traverse for examination on the merits. This election is timely filed as the due date falls on a Saturday, filing this response on October 13, 2003 is deemed timely. (See 37 CFR § 1.17(a)).

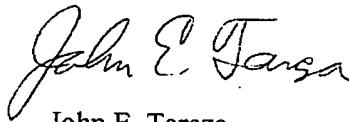
All of the claims pertain to a system for biowarfare defense involving new infectious particles. It should be noted that this patent application was filed BEFORE the recent anthrax attack of September 11, 2001. In that light, one skilled in the art at the time the invention was made would view this application as presenting one unified invention rather than a collection of 11 groups as proposed in the requirement for restriction. Accordingly, all of the claims should be examined together and such action is respectfully requested.

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Furthermore, the antibody, its preparation and usage of groups IV, V, VI, VII should constitute the same search regardless of the classification as well as comparable issues. Therefore, at least these groups should be rejoined.

The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, which may become due in connection with the instant application or credit any overpayment to Deposit Account No.500933.

Respectfully submitted,



John E. Tarcza
Reg. No. 33,638

Date: October 13, 2002

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